

# EXHIBIT 30

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

The County of Cuyahoga v. Purdue  
Pharma L.P., et al.

Case No. 18-OP-45004

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Videotaped deposition of  
JAMES A. GUTIERREZ, ESQ.

January 31, 2019

9:48 a.m.

Taken at:

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1 a similar one on the east side. And these  
2 are -- what they are are different detectives  
3 from different jurisdictions all basically work  
4 with one unit. Like the Westshore Enforcement  
5 Bureau are detectives from different cities.  
6 There's one on the east side. And then all  
7 local jurisdictions in Cuyahoga County, all the  
8 police departments, if they have an issue in a  
9 particular incident there, they'll call us.

10 Q. Do you work with the Drug  
11 Enforcement Administration?

12 A. Yes.

13 Q. Would you say that you communicate  
14 on a regular basis with the DEA?

15 A. I used to, but not recently.

16 Q. During what period of time were you  
17 communicating regularly with the DEA?

18 A. Well, I -- to answer your question  
19 candidly, it depends who is sitting in that  
20 chair with the DEA locally, and that  
21 relationship. So over the years we would have  
22 better relationships with some of the diversion  
23 directors than other ones, and so -- and the DEA  
24 has their own policies, whether they want to  
25 come to us with certain cases. Sometimes they

1 did. Sometimes they didn't. So over the years  
2 it's been kind of hit and miss.

3 Q. Okay. Are there particular years  
4 where you recall having more routine  
5 communication relative to the other years?

6 A. I would say from middle '90s to the  
7 middle 2000s, maybe 2005.

8 Q. And are there years when you recall  
9 having less communication with the DEA relative  
10 to the other years?

11 A. Again, I would say it was hit and  
12 miss. It would depend on the case and things of  
13 that nature.

14 Q. I believe you stated that currently  
15 you don't have regular communication?

16 A. Well, I do. I mean, I do. I don't  
17 know what you mean by "regular." Do we -- do I  
18 talk to them over a period of a year? Yes. We  
19 have certain individuals that are in a task  
20 force that are local CPD officers that work with  
21 the DEA. They have a task force. So if you  
22 want to -- if you want to say that, yeah, then I  
23 have a regular communication with them.

24 Q. But over the years you had the most  
25 communication with your DEA counterparts between



1 prosecution?

2 MR. SPELLACY: Objection.

3 A. I don't know the answer to that  
4 question. I don't know anybody who would.

5 Q. And when was the first time your  
6 office considered filing charges in a  
7 prescription opioid case?

8 MR. SPELLACY: Objection.

9 A. Again, all I can tell you is what I  
10 have -- what my experience was since basically  
11 1989, when I started doing practitioners.

12 Q. When was the first time you filed a  
13 prosecution related to prescription opioids?

14 A. Early '90s.

15 Q. Were prescription opioids a problem  
16 in the early '90s?

17 MR. SPELLACY: Objection.

18 A. Absolutely.

19 Q. And what kind of problem were they  
20 posing in the 1990s in Cuyahoga County?

21 A. When OxyContin came out, it was --  
22 it was like a jailbreak. It just exploded.

23 Q. And when did that occur?

24 A. The late '90s, when OxyContin first  
25 went on the market. It was unbelievable what

1 MR. SPELLACY: Objection.

2 Q. How does the number of prescription  
3 opioid crimes prosecuted by your office in the  
4 late 1990s compare to the early 1990s?

5 MR. SPELLACY: Objection.

6 A. I couldn't quantify that for you.

7 Q. Am I correct that you noticed a  
8 surge in prescription drug crime in the late  
9 1990s?

10 MR. SPELLACY: Objection.

11 A. I noticed a surge in the -- in  
12 the -- what's the word I'm looking for -- in the  
13 wanting of a certain drug, which was OxyContin.

14 Q. And what sources of data informed  
15 you of that?

16 A. Again, just my experience of talking  
17 to the officers on the streets.

18 Q. Which specific officers did you  
19 speak to?

20 A. Back in the '90s?

21 Q. Yes.

22 MR. SPELLACY: Objection.

23 A. There were individuals that are  
24 retired now. I could give you some names of  
25 people that worked back in the '90s. Bob Cole,

1 who was a diversion supervisor of the pharmacy  
2 board, Jim Rye, Lynn Mudra. Those are the names  
3 that come to my mind.

4 Q. And who did Jim Rye work with?

5 A. All pharmacy board investigators.

6 Q. Apart from those three individuals,  
7 were there any other sources that you recall  
8 speaking with?

9 A. Yeah, but I don't know their names.  
10 Local law enforcement people.

11 Q. How many such people --

12 MR. SPELLACY: Objection.

13 Q. -- approximately?

14 A. I'd say a handful.

15 Q. And what steps did your office take  
16 to deploy resources toward prescription drug  
17 work in the late 1990s?

18 MR. SPELLACY: Objection.

19 A. The only thing I can tell you is if  
20 we were doing a practitioner and we needed to  
21 hire an expert, then we got money to hire an  
22 expert.

23 Q. Are you aware of any other resources  
24 that were deployed in reaction to the surge in  
25 prescription drug crime?